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EXAMINER

LU, KUEN S

ART UNIT PAPER NUMBER

2167

DATE MAILED: 02/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/864,038	Applicant(s) ZEE, CHRISTOPHER	
	Examiner Kuen S. Lu	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,3,9-13 and 19-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,3,9-13 and 19-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>See Continuation Sheet</u> . |

Continuation of Attachment(s) 6). Other: The Abstract & Title filed 6/24/05 are acknowledged.

DETAILED ACTION

Response to Amendments

1. The Action is responsive to the Applicants' Amendments, filed on December 21, 2005.
2. The Amendments made to the only independent claim 3 is acknowledged. Please note new issue was raised when the following amended element was introduced:
"establishing an endowment fund associated with each ~~the~~ archived IP, said endowment trust being managed separately from the user fee based access, the endowment fund generating enduring funding for the maintenance and operation of the storage and retrieval archival system to assure continued availability of the archived IP regardless whether there is user fee based access thereto". The currently amended, previously and originally presented claims are addressed accordingly in the Office Action for Final Rejection (hereafter "the Action") as shown next.
3. As for the Applicant's Remarks on non-Final rejection of October 3, 2005, please see discussion in the section ***Response to Arguments***, following the Action.

Drawings

4. The drawings filed November 26, 2002 have been accepted.

Specification

5. The Abstract filed June 24, 2005 for replacing the one previously filed May 22, 2001 is acknowledged.

Also acknowledged is the new title "METHOD FOR THE ASSURED AND ENDURING ARCHIVAL OF INTELLEGTUAL PROPERTY" filed June 24, 2005.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Salom (U.S. Pub. 2003/0167175 A1) in view of Wilkinson (U.S. Pub. 2001/0034695 A1).

As per Claim 3, Salom teaches "**providing an information storage and retrieval archival system containing plural archived intellectual property (IP)**" at Pages 3-4, [0022] and [0029] wherein an IP database is the repository for a plurality of IP and archived IP is "**in the information storage and retrieval system**" because IP database is the repository for a plurality of IP before IP is spun out (See Page 4, [0038]).

Salom does not explicitly teach user fee or endowment fund, although Salom teaches holding company spinning out specific IP to a spinout company and secure adequate funding for the spinout company at Pages 4-5, [0038] and [0040].

However, Wilkinson teaches "**enabling a user fee based access to the archived IP**" in the information storage and retrieval system "**by users through an electronic communications network**" at Page 3, [0023]-[0025] and Page 4, [0035] where rules

are set to assess user fee for people to register, list and trade IP just like stock exchange system whose computer is accessible from network (See Page 1, [0006]).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Wilkinson's teaching with Salom reference by assessing user fee for accessing and storing IP to the IP retrieval archival system because both references are directed to business methods dealing with IP and the combined teaching would have established a central repository for allowing IP users to archive IP and share the cost of maintaining IP database, and guaranteeing continual operation and growth of the repository such that more users could have been able to access and share, and the market value of IP could have been further appreciated by spinning out specific IP to a company which is fully dedicated to the spun IP.

The combined teaching of Salom and Wilkinson references further teaches **"to assure continued availability of the archived IP in the information storage and retrieval system"** (See Wilkinson: Page 3, [0023]-[0025] and Page 4, [0035] by assessing user fee for listing or transaction and associating the endowment business entity with the IP market value, and an endowment is established and known to an ordinary skilled for the purpose of assuring a continued operation of activities, and Salom: Pages 3-4, [0022] and [0029] wherein an IP database is the repository for a plurality of IP).

The combined teaching of the Salom and Wilkinson references does not explicitly address the issue of assuring the continued availability of the archived IP in the

information storage and retrieval system under the condition of **“the user fees being insufficient”**.

However, Examiner takes an official notice that it is a common business practice for using endowment to support its designated activities during deficiency of user fee, for example, listeners or viewers are urged to contribute to support the operation of public radio or TV stations where major funding of operation may come from endowment or trust fund. Further, colleges also utilize endowment to compensate the deficiency of tuition collected from students.

The combined teaching of Salom and Wilkinson references further teaches **“establishing an endowment fund associate with *each* archived IP”** (See Wilkinson: Page 3, [0023]-[0025] and Page 4, [0035] by associating the endowment business entity with IP, Salom: Page 4, [0038] by spinning a specific IP to a dedicated company to develop and market wherein the combined references suggests the teaching of associating a endowment to specific IP at different spinning company).

The combined teaching of Salom and Wilkinson references does not explicitly teach that **“said endowment trust being managed separately from the user fee based access,”**.

However, Examiner takes an official notice that it is a common accounting practice for separating endowment fund and user fee, for example, colleges separate tuition from endowment fund because they are collected separately and utilized differently.

The combined teaching of Salom and Wilkinson references further teaches **“the endowment fund generating enduring funding for the maintenance and operation**

of the storage and retrieval archival system to assure continued availability of the archived IP regardless whether there is user fee based access thereto". (See Wilkinson: Page 3, [0023]-[0025] and Page 4, [0035] by associating the endowment business entity with the IP, an endowment is established and known to an ordinary skilled in the art for the purpose of assuring a continued operation of activities, and Salom: Pages 3-4, [0022] and [0029] wherein an IP database is the repository for a plurality of IP).

8. Claims 2, 10-13, 19-29 and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salom (U.S. Pub. 2003/0167175 A1) in view of Wilkinson (U.S. Pub. 2001/0034695 A1) as applied to claim 3 above, and further in view of Watanabe et al. (U.S. Patent 6,157,947, hereafter "Watanabe").

As per Claim 2, the combined teaching of Salom and Wilkinson references does not specifically teach **"receiving instructions for the amendment of the archived IP from the users"**, although the combined teaching of Salom and Wilkinson references teaches **"receiving instructions for the the archived IP from the users"** as previously described in claim 3 rejection (See Wilkinson: at Page 3, [0023]-[0025] and Page 4, [0035] where rules are set to assess user fee for people to register, list and trade IP).

However, Watanabe further teaches **“receiving instructions for the accessing and amendment of the archived IP from the users”** (See Fig. 26, step 302 for IP registration and step 303 for IP deletion and update).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Watanabe's teaching with Wilkinson and Salom references by amending IP in the archived because all references are directed to business methods dealing with IP and the combined teaching would have established a central repository for allowing IP users not only to share the cost of archiving IP and maintaining IP database and guarantee continual operation and growth of the repository, but also to maintain the IP through amendments such that more users could have been able to efficiently distribute amended or updated IP, and the market value of IP could have been instantly appreciated to reflect the updated features.

The combined teaching of the Watanabe, Wilkinson and Salom references further teaches **“saving the received instructions for accessing and amendment of the archived IP”** and **“indexing the saved received instructions to the archived IP and to a set of user defined key words, linkages and attributes of, and related to, the received instructions and the archived IP”** (See Watanabe: Figures 7B, 8A-8C and col. 6, lines 55-67 by using screen menus for entering, saving and performing instructions for registering, retrieving, updating and deleting IP where keywords are entered in the specific fields and IP information is indexed in the fields).

As per Claim 10, the combined teaching of the Wantanabe, Wilkinson and Salom references further teaches **“the indexing step comprises assembling information taken from an aspects list of: intellectual property type, country of publication, author name, assignee, revenue sharing ratio, bank account, keywords, abstract, excerpts, ISBN number, ISSN number, publication date, volume number, issue number, page number, file format, file size, language rating, and violence rating”** (See Watanabe: Figure 7B by registering IP including IP name, large, medium and small categories, disclosure extent, corresponding technology, etc).

As per Claim 11, the combined teaching of the Wantanabe, Wilkinson and Salom references further teaches **“access step comprises at least one of the further steps of: reviewing a list of archived IP retrieved, selecting specific intellectual property to access, selecting a level of access, paying an access fee, and receiving the selected intellectual property”** at Figures 8B-8C and col. 6, lines 60-67 by using retrieval and display menus for logging in, retrieving and displaying the retrieved IP information.

As per Claim 12, the combined teaching of the Wantanabe, Wilkinson and Salom references further teaches **“receiving instructions for access step includes at least one of the further steps of: determining if the user is a member, signing the user as member, accepting agreement, paying membership fee, downloading access software, receiving open credit balance, reviewing fee schedule, selecting level of**

access, and paying further search and retrieval fees” (See Watanabe: Figure 7B and col. 6, lines 55-67 by using login process to use the system which implies selecting the level of access).

As per Claim 13, the combined teaching of the Watanabe, Wilkinson and Salom references further teaches **“determining if the user has been granted permission, by the owner of the archived IP, to access to the selected IP; and verifying the identity of the user using at least one of user id, password, computer id, CPU id, secondary password, smart, cards, encoded credit and biometric identification systems”** (See Watanabe: Figure 7B and col. 6, lines 55-67 by using login process which requires the use of user id and password).

As for Claim 19, the combined teaching of the Watanabe, Wilkinson and Salom references further teaches **“establishing a Permanent IP Identification Address (PIPA) for identifying the address of the archived IP in a Permanent IP Domain (PIPD)”** (See Watanabe: Figure 7B and col. 6, lines 55-67 by using the large category as the domain of IP while IP number is the permanent identification address).

As for Claim 20, the combined teaching of the Watanabe, Wilkinson and Salom references further teaches **“managing the PIPD by operator-managers”** (See Watanabe: Fig. 14 and col. 14, lines 50-65 by managing the IP based on their categories).

The combined teaching of the Wantanabe, Wilkinson and Salom references does not explicitly teach “**separately managing the endowment trust from the management of the PIPD**”, although, Wilkinson teaches charging user listing or transaction fees and associating endowment entity with IP at Page 3, [0023]-[0025], and Page 4, [0035], as previously described in claim 3 rejection.

However, Examiner takes an official notice that it is a common accounting practice for separating endowment fund from others, for example, colleges separate other fund from endowment fund because they are collected separately and utilized differently.

As per Claim 21, the combined teaching of the Wantanabe, Wilkinson and Salom references further teaches the following:

“**assessing an archival fee associated with archived IP**” (See Wilkinson: Page 3, [0024]-[0025] by evaluating the value of the IP assets and charging user with listing and transaction fee); and

“**receiving archived fee from an IP owner of the archived IP**” (See Wilkinson: Page 3, [0023]-[0025] and Page 4, [0035] where rules are set to assess user fee for people to register, list and trade IP, and renewal of fee payment is a common business practice to an ordinary skilled).

As for Claim 22, the combined teaching of the Wantanabe, Wilkinson and Salom references further teaches “**augmenting the database management fund with the**

archived IP with donations, grants or operating surplus" (See Wilkinson: Page 3, [0025] where endowment trust fund may be established by donations).

As per Claim 23, the combined teaching of the Wantanabe, Wilkinson and Salom references further teaches "**pooling endowment funds for a plurality of archived IP for further enhancing the permanence including increased liquidity and reduced risk**" (See Wilkinson: Page 3, [0025] by including the use as a basis for any financial transaction or for any business or financial purpose, including, for taxation, preparation of financial statements, debt/equity transactions, purchases, sales, loans, collateral, donations, exchanges, investing, trading, mergers, acquisitions, spin-offs, liquidation, buybacks, leveraged buyouts, stock/debt exchanges, hedge funds, and the like. Examiner also takes official notice that it is known to an ordinary skilled in the art that operation permanence and reducing risk are among the purposes for establishing an endowment).

As per Claim 24, the combined teaching of the Wantanabe, Wilkinson and Salom references further teaches the following:

"each IP record containing large category as the domain and IP number as the identification" (See Watanabe: Figure 7B and col. 6, lines 55-67 by using the large category as the domain of IP while IP number is the permanent identification address);

“establishing one or more access files separate from the archived” (See Watanabe: Fig. 7B and col. 6, lines 55-67 by exporting the registered IP to a local file), and **“each access file associated with a user”** and **“enabling access to an access file by a user wherein each access file comprises the PIPA for the archived IP, an identity of the user, and value-added information by the user”** (See Watanabe: Figures 6-7B and col. 6, lines 39-49 and 55-59 by registering PIPA (IP number) for the archived IP, username and valued-added information).

As per Claim 25, the combined teaching of the Wantanabe, Wilkinson and Salom references further teaches **“accessing a users access file by the accessing user”** at **Fig. 7B and col. 6, lines 55-67 by importing a local file to display the registered IP, “combining the value-added information and the archived IP into a combined product”** and **“presenting the combined product to the accessing user”** (See Watanabe: col. 6, lines 39-49 and 55-59 by registering PIPA (IP number) for the archived IP, username and valued-added information and presenting the combined product by the accessing user at Fig. 7B and col. 6, lines 55-67 by displaying the registered IP).

As per Claim 26, the combined teaching of the Wantanabe, Wilkinson and Salom references further teaches **“accessing a first users first access file by a second user for forming a second access file”** (See Watanabe: Fig. 7B and col. 6, lines 55-

67 by importing a local file created through exporting an archived IP by a first users;
“combining value-added information of the first and second access files and the archived IP of the into a combined product; and presenting the combined product to the second accessing user” (See Watanabe: Figure 7B by combining the value-added information through registering IP data, including IP name, Large, medium and small categories, disclosure extent, corresponding technology, etc).

As per Claim 27, the combined teaching of the Wantanabe, Wilkinson and Salom references further teaches **“opening an access file and obtaining a presentation of the combined product including at least the PIPA for the archived IP and the permanently archived IP associated therewith”** (See Watanabe: Fig. 7B, col. 6, lines 55-67 by importing a local file for an archived IP whose value-added information was combined by local file exporting, registration and importing processes).

As per Claim 28, the combined teaching of the Wantanabe, Wilkinson and Salom references further teaches **“initiating the creation of an access file by a user by the entry of information associated with the archived IP; and once the archived IP is identified, the PIPA for the archived IP, an identity of the user, and value-added information by the user can be added to the access file”** (See Watanabe: Fig. 7B, col. 6, lines 55-67 by importing a local file of an archived IP, updating the menu with the IP number, username and value-added information, and saving and/or exporting the updated).

As per Claim 29, the combined teaching of the Wantanabe, Wilkinson and Salom references further teaches **"searching a plurality of access files to ascertain if archived IP is stored for retrieval, and if so opening the access filed associated with the archived IP for obtaining a presentation of the combined product including at least the PIPA for the archived IP and the permanently archived IP associated therewith"** (See Watanabe: Fig. 7B and col. 6, lines 55-67 by importing local file corresponding with the archived IP through local file name).

As per Claim 31, the combined teaching of the Wantanabe, Wilkinson and Salom references further teaches **"step of establishing an index tag for each archived IP and comprising at least a PIPA for the archived IP, the index tags being useful for indexing purposes"** (See Wilkinson: Page 4, [0035] by constructing (gathering data and computing) an IP index or indices composed of individual IP assets, IP-impacted securities, or entities holding IP assets for the purpose of investment, comparison, and performance evaluation purposes. In this way, financial instruments related to IP assets or entities holding IP assets may be tracked against the performance of other IP assets or entities holding IP assets, and Watanabe: Fig. 7B and col. 6, lines 55-67 by exporting archived into a local file).

As per Claim 32, the combined teaching of the Wantanabe, Wilkinson and Salom references further teaches **"backing up the access file on the storage and retrieval**

archival system operated in the PIPD" (See Wantanabe: Fig. 7B and col. 55-67 by exporting the same archived IP to local files placing at different drives or backup media).

9. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Salom (U.S. Pub. 2003/0167175 A1) in view of Wilkinson (U.S. Pub. 2001/0034695 A1) and Watanabe et al. (U.S. Patent 6,157,947, hereafter "Watanabe") as applied to claim 2 above, and further in view of Couchman (Oracle DBA Certification Exam Guide, Oracle Press, 1998) and Baba et al. (U.S. Patent 5,758,057).

As per claim 9, the combined teaching of the Wantanabe, Wilkinson and Salom references further teaches IP archived and storage system by networking database servers and client systems as previously described in claims 3 and 2 rejections.

The combined teaching of the Wantanabe, Wilkinson and Salom references does not explicitly teach system backup, mirroring, disaster recovery or multi-media equipments settings.

However, Baba teaches mirror system configuration at Fig. 1, elements 100a and 100b, col. 8, lines 23-24, and multi-media storage configuration and user connections at Fig. 5, col. 9, lines 21-25.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of Baba with Wantanabe, Wilkinson and Salom references by specifically mirroring disk drives so that all archived

IP would have an on-line and redundant backup to ensure any storage failure could be repaired while the information archiving and retrieving system maintained operational.

The combined teaching of Baba with Wantanabe, Wilkinson and Salom references teaches IP storage and archived system equipped with mirror disk drives as described above.

The combined teaching of Baba, Wantanabe, Wilkinson and Salom references does not explicitly teach disaster recovery for the IP archiving and retrieving system.

However, Couchman teaches physical disaster recovery system at Chapters 13-15.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Couchman's teaching with Baba, Wantanabe, Wilkinson and Salom references by implementing a disaster recovery system which must be remotely located such that the Watanabe's IP archiving and retrieving system would be fully reliable during the events of system fault or natural disaster because of redundant copies, different principles of practice and remotely storage of backups.

7. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Salom (U.S. Pub. 2003/0167175 A1) in view of Wilkinson (U.S. Pub. 2001/0034695 A1) Watanabe et al. (U.S. Patent 6,157,947, hereafter "Watanabe") as applied to claims 3, 2 and 19 above, and further in view of Couchman (Oracle DBA Certification Exam Guide, Oracle Press, 1998).

As per Claim 30, the combined teaching of Watanabe, Wilkinson and Salom references teaches IP distribution, usage and sharing is a user based system where IP information includes at least one of name, username, number, address, large category, etc. as previously described in claims 2, 3, 19 and other dependent claims rejections.

The combined teaching of Watanabe, Wilkinson and Salom references do not explicitly teach "as only IP selected by owners are archived in the PIPD".

However, Couchman teaches granting privileges of selecting specific information to specific user(s) at Page 189 by examples of SQL GRANT statements.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Couchman's teaching with the Watanabe, Wilkinson and Salom references by implementing more specific control of selecting IP, via information technology for implementing the IP distribution system, to storage and retrieval archival system because by doing so there would have been a better selected archive of IP because IP owners are the groups of persons know IP best.

The combined teaching of Couchman, Watanabe, Wilkinson and Salom references further teaches the following:

"IP owners fund an endowment fund for the archived IP" (See Wilkinson: Page 3, [0023]-[0025] and Page 4, [0035] by assessing user fee for listing or transaction and associating the endowment business entity with the IP, and at Page 4, [0035] wherein IP listing or transaction fee may be assessed and a business entity for any purpose may hold the IP and take into account the tangible market value of IP assets, and business entity may be any business organization or part thereof, such as a partnership, fund,

corporation, trust, foundation, endowment, sole proprietorship, association, and the like further suggests flexibility of business practice for funding process executing by the owners of funding properties); and

“only IP selected and funded by IP owners are archived in the PIPD” (See Wilkinson: Page 3, [0023] and [0025], and Page 4, [0035] of Wilkinson reference wherein IP listing or transaction fee may be assessed and a business entity for any purpose may hold the IP and take into account the tangible market value of IP assets, and business entity may be any business organization or part thereof, such as a partnership, fund, corporation, trust, foundation, endowment, sole proprietorship, association, and the like further suggests flexibility of business practice for funding process executing by the owners of funding properties, and Couchman: Page 189 wherein granting privileges of selecting specific information to specific user(s) by examples of SQL GRANT statements).

10. The prior art made of record

A. U.S. Publication 2001/0034695 A1

B. U.S. Patent 5,758,057

U. Oracle DBA Certification Exam Guide, J. Couchman, Oracle® Press, 1998

V. Will the real VLDB conference please stand up, Pages 8-14, ACM SIGMOD Record, Vol. 12, issue 3, April 1982

D. U.S. Publication 2003/0167175 A1

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

C. U.S. Patent 6,157,947

Response to Arguments

11. Applicant's arguments filed on December 21, 2005 with respect to claims 2-3, 9-13 and 19-32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusions

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S Lu whose telephone number is (571) 272-4114. The examiner can normally be reached on Monday-Friday (8:00 am-5:00 pm). If attempts to reach the examiner by telephone are unsuccessful, the examiner's

Supervisor, Jean R. Homere, Esq. can be reached on (571) 272-3780. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free).

Kuen S. Lu

Patent Examiner

February 13, 2006

